

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F039944      People v. Esparza**

The three year sentence enhancement imposed pursuant to section 12022.7 is ordered stricken. The matter is remanded for resentencing on count 2, attempted murder. In all other respects, the judgment is affirmed. Ardaiz, P.J.

We concur: Dibiaso, J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F040444      Cajilig v. General Motors Corporation et al.**

Pursuant to written stipulation of the parties hereto, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F039758      People v. Tarin**

The judgment is affirmed. Cornell, J.

We concur: Vartabedian, Acting P.J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F041447      People v. Ochoa**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F041447      People v. Ochoa**

The judgment is affirmed with modifications.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F040759      People v. Lowe**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F040759      People v. Lowe**  
The judgment is affirmed with modifications.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F040180      Delgado v. Trax Bar & Grill**  
Appellant's petition for rehearing filed herein is denied.
- F040481      People v. Goldbach**  
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F040481      People v. Goldbach**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F039871      Smith et al. v. Inland Crop Dusters, Inc.**  
The judgment is affirmed. Costs on appeal are awarded to respondents. Levy, J.  
I concur: Harris, J.  
I dissent: Dibiaso, Acting P.J.  
(See dissenting opinion)  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F043034      Anthony M. v. The Superior Court of Stanislaus Co.; Stanislaus Co. Community Services Agency**  
Pursuant to the terms of this court's order of June 10, 2003, and the failure of any party to request oral argument, the oral argument date of July 3, 2003, is vacated.  
This matter is deemed submitted on the date of this order.
- F039440      Keel v. California Department of Corrections, et al.**  
Filed order denying request for publication of the opinion.

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**F042839      In re Marriage of Valladares**

This court's order of May 19, 2003, dismissing the appeal in the  
above entitled action is vacated and the appeal is reinstated.